

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawings consists of new FIG. 19.

Attachment: New Drawing Sheet

### **REMARKS**

Claims 1 and 3-8 are pending in this application and stand rejected. Claims 1 and 8 are independent.

By this Amendment Applicants seek to cancel claim 8, revise claim 1, and add Figure 19. Upon entry of this Amendment claim 1 will be the sole independent claim.

The cancellation of claim 8 is without prejudice to or disclaimer of the subject matter presented therein. Applicants reserve the right to later present the subject matter of claim 8 in a related continuation application.

Fig. 19, presented herein, does not introduce any new matter. This drawing is fully-supported by the application as filed, for example, at page 7, line 28, through page 28, line 5, and page 29, lines 8-18.

Applicants wish to thank the Examiner and his Supervisor, Mr. Shoap, for the telephonic interview conducted on September 14, 2005. During that interview the Examiner requested that Applicants provide new Fig. 19 to support claim 6, which has been done.

### **The Rejection Under 35 U.S.C. § 112, ¶ 2**

Claims 1 and 3-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of Applicants' invention. The Office Action identified language in claims 1 and 6 deemed to be unclear. Applicants respectfully traverse this rejection and submit the following arguments in support thereof.

First, it will be appreciated that the cancellation of claim 8 renders moot the corresponding portion of this rejection, and so withdrawal of that claim rejection is required.

Claim 1 has been revised to clarify the manner in which the slitter/scorer is moved. It is submitted that claim 1, in view of the rest of the disclosure, is clear. In this regard, Applicants wish to point out The Court of Appeals for the Federal Circuit holds that 35 U.S.C. § 112, ¶ 2, only requires an Applicant to particularly point out and distinctly claim the invention, and Applicants submit that the pending claims fully comply therewith.

The test for definiteness is whether one skilled in the art would understand the bounds of the claim when read in light of the specification. [Citation omitted] If the claims read in light of the specification reasonably apprise those skilled in the art of the scope of the invention, § 112 demands no more.

Miles Laboratories, Inc. v. Shandon Inc., 997 F.2d 870, 875, 23 USPQ2d 1123, 1126 (Fed. Cir. 1993) (emphasis added), cert. denied, 510 U.S. 1100 (1994); Credle v. Bond, 25 F.3d 1566, 1576, 30 U.S.P.Q.2d 1911 (Fed. Cir. 1994).

Insofar as the Office Action suggests claim 1 is confusing, Applicants respectfully disagree - the claim is clear if the teachings of the specification are kept in mind. In this regard, it should be noted that the Federal Circuit has stated:

The purpose of claims is not to explain the technology or how it works, but to state the legal boundaries of the patent grant. **A claim is not 'indefinite' simply because it is hard to understand when viewed without benefit of the specification.**

S3 Inc. v. nVIDIA Corp., 259 F.3d 1364, 1369 (Fed. Cir. 2001) (emphasis added).

Here, those of ordinary skill in the art having in their minds the teachings of the disclosure would find claim 1 to clearly demarcate the present invention.

Claim 6 was rejected on grounds the slitter and scorer were said to move in a straight line to form a polygonal shape, but not to form a curve as recited in this claim.

The Office Action is **wrong**; as pointed out during the telephonic interview, the specification states at page 29, lines 8-18 that the slitter/scorer can move in a curved path:

One of ordinary skill in the art would understand that this specific configuration is given as an example and not meant to limit the invention. For example, in the preferred embodiment described above, the slitter knife or blade is moved simultaneously both in vertical and widthwise directions via driving both servo motors therefor, but it might be possible to move the slitter knife or blade diagonally during either its upper movement or downward movement. **Also, the moving path of the slitter and/or scorer can be a curved line, e.g. parabola curve which is different from the described zigzag-like line.** (emphasis added).

During the interview it was noted that the drawings did not depict such a curved path. The Examiner requested such a drawing be provided. To comply with this request Applicants submit herewith Fig. 19, which shows a curved path for the slitter/scorer path. As explained during the interview, this drawing does not present new matter, and so can be entered.

For all the foregoing reasons, favorable reconsideration and withdrawal of these rejections are respectfully requested.

#### **The Rejection Under 35 U.S.C. § 102**

Claim 8 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Appln. Publn. No. 2001/0002560 A1 to Aoki et al.

Because of the cancellation of claim 8, this rejection is entirely moot and so must be withdrawn.

#### **CONCLUSION**

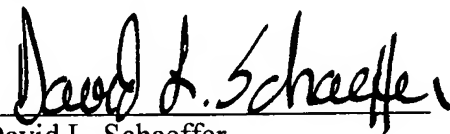
Applicants respectfully submit that all outstanding rejections have been addressed and are now either overcome or moot. Applicants further submit that all claims pending in this application are patentable over the prior art. Accordingly, favorable consideration and prompt allowance of this application are respectfully requested.

No fees are believed to be due. Nevertheless, should the Commissioner deem any fee(s) to be now or hereafter due in connection with this application, authority is given to charge all such fees to Deposit Account No. 19-4709.

In view of the foregoing revisions and remarks, Applicants respectfully request entry of this Amendment After Final Rejection and submit that entry of this Amendment will place the present application in condition for allowance. It is further submitted that entry of this Amendment can be approved by the Examiner consistent with Patent and Trademark Office practice, since the changes it makes should not require a substantial amount of additional work by the Examiner. It is believed that the changes presented in this Amendment address matters that the Examiner has previously considered.

In the event that there are any questions, or should additional information be required, please contact Applicants' attorney at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, reading "David L. Schaeffer", is written over a horizontal line.

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